

11-01-06

IFW

3738

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under 37 CFR 1.97(b) or 1.97 (c))	Docket No. 276/04389
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In Re Application of::

Shmuel BEN MUVHAR

Application No.	Filing Date	Examiner	Customer No.	Art Unit	Confirmation No.
10/523,966	October 06, 2005	UNKNOWN	44909	3738	3984

Title:

FLOW REDUCING IMPLANT

Address to:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

37 CFR 1.97(b)

1. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR 1.97(c)

2. ☐ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☐ the statement specified in 37 CFR 1.97(e);

OR

☐ the fee set forth in 37 CFR 1.17(p).



TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97 (c))

Docket No.

276/04389

In Re Application of:

Shmuel BEN MUVHAR

Application No.	Filing Date	Examiner	Customer No.	Art Unit	Confirmation No.
10/523,966	October 06, 2005	UNKNOWN	44909	3738	3984

Title:

FLOW REDUCING IMPLANT

Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 03-3419 as described below.
- ☐ Charge the amount of \$00.00
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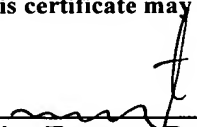
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*This certificate may only be used if paying by deposit account.


Maier Fenster, Reg. No. 41,016

William H. Dippert, Esq.
Wolf, Block, Schorr & Solis-Cohen LLP
250 Park Avenue
New York, New York 10177
Tel: (212) 986 1116

Date: October 29, 2006



PTO/SB92 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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on October 31, 2006

Date

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Geraldine Gress

Wolf, Block, Schorr and Solis-Cohen LLP
250 Park Avenue
9th Floor
New York, New York 10177-0030
Telephone: 212.986.1116; Facsimile: 212.986.0604

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Applicant: Shmuel Ben Muvhar
Serial No: 10/523,966
Filing Date: October 6, 2005
For: Flow Reducing Implant
Attachments: (1) Transmittal Letter of Information Disclosure Statement (3 pages);
(2) Information Disclosure Statement (3 pages);
(3) IDS Citation (9 pages) w/thirteen (13) cited references;
(4) Acknowledgement postcard

Burden Hour Statement: This form is estimated to take 0.03 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In regard to the application of: Shmuel BEN MUVHAR

Serial No : 10/523,966

Group Art Unit: 3738

Filed : October 06, 2005

Examiner: Unknown

For : FLOW REDUCING IMPLANT

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant respectfully directs the attention of the Examiner to art cited with respect to U.S. Application No. 10/523,966, which is a US National of PCT/IL03/00659, which is a CIP of 09/534,968 filed on March 27, 2000 and CIP of 10/239,980 filed on September 26, 2002, which is 371 of PCT/IL01/00284 filed on March 27, 2001 and 10/491,976 filed on October 08, 2004, which is 371 of PCT/IL02/00805 filed on October 03, 2002 and CIP of PCT/IL03/00303 filed on April 10, 2003.

The Examiner is respectfully requested to review and consider this art, in accordance with MPEP §2001.06 and to indicate in the first office action that he has considered this art. Additionally, the Examiner is respectfully requested to cite those prior art publications mentioned in this application which the Examiner considers to be material or relevant to the present claims.

Further, in order to comply with discretionary regulations 37 CFR 1.97 and 1.98, attached hereto is an Equivalent to Form PTO-1449 and copies¹ of the documents listed

¹ To the extent that a document is listed and no copy of same is attached, then such document is not at the present time available to the undersigned or is available in the national stage file or in a parent file. If a listed document is not in the English language and an English translation is readily available, such translation is also attached; if translation is not attached, it is not readily available to the undersigned. If a foreign language patent document is cited, and an English language equivalent is known to the undersigned, then such an equivalent patent is also cited on the attached form along with the corresponding foreign language patent and a connecting arrow indicated therebetween; if no such English language equivalent is cited then none is known to the undersigned.

thereon. These documents contain information which the examiner may consider to be important in deciding whether to allow the present application to issue as a patent.

Copies of items 1-10, 17-25, 32-41, 48-57, 65-75, 81-90, 97-108, 111-125 and 126-128 are not attached, as the USPTO waived the requirement under 37 CFR 1.98(a)(2)(i) for submitting copies of US patents and US patent application publications in all U.S. applications filed after June 30, 2003. See MPEP 609 III A(2).

Copies of items 11-12, 14-16, 26, 29-31, 42-43, 46-47, 58, 61-64, 80, 93-96 and 109-110 are not attached as they are available in parent file U.S. Application No. 10/239,980.

Items 13 and 59-60 are in foreign languages, English-language abstracts are attached to each reference.

In accordance with MPEP §609 it is requested that each document cited (including any mentioned in Applicants' specification which is not repeated on the attached PTO-1449 form(s) or equivalents thereof) be given thorough consideration and be cited of record in the prosecution history of the present application by initialing on the PTO-1449 form or its equivalent, so that it will appear on the face of the patent issuing on the present application, even if the Examiner does not consider it sufficiently pertinent to use in a rejection, or otherwise does not believe that the guidelines for citation have been fully complied with.

The present Information Disclosure Statement is being submitted in compliance with 37 C.F.R. §1.56 as an Examiner might consider any cited document important in deciding whether to allow the application to issue as a patent, but the citation of each document is not to be construed as an admission that such document is necessarily relevant or prior art. No representation is intended that the cited documents represent the results of a complete search, and it is anticipated that the Examiner in the normal course of examination, will make an

independent search and will determine the best prior art consistent with 37 C.F.R. §1.104(a), and in the course of such search will review for relevance every document cited on the attached form.

Early and favorable consideration is earnestly solicited.

Respectfully submitted,
Shmuel BEN MUVHAR

A handwritten signature in black ink, appearing to read 'Maier Fenster', is written above a horizontal line.

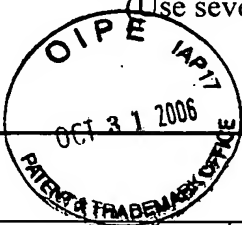
Maier FENSTER
Registration No. 41,016

October 29, 2006

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250 Park Avenue
New York, NY 10177

Tel: 212-986-1116

INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)	ATTY DOCKET NO. 276/04389	SERIAL NO. 10/523,966
	APPLICANT(S) Shmuel BEN MUVHAR	
	FILING February 07, 2005	GROUP 3738



U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	Filing date if appropriate
	1.	3,620,218	16 Nov '71	SHMITT			
	2.	4,106,129	15 Aug '78	CARPENTIER et al.			
	3.	4,292,974	06 Oct '81	FOGARTY et al.			
	4.	4,297,749	03 Nov '81	DAVIS et al.			
	5.	4,494,531	22 Jan '85	GIANTURCO			
	6.	4,501,263	26 Feb '85	HARBUCK			
	7.	4,601,718	22 Jul '86	POSSIS et al.			
	8.	4,705,517	10 Nov '87	DIPISA, Jr.			
	9.	4,727,873	01 Mar '88	MOBIN-UDDIN			

U.S. PATENT APPLICATION PUBLICATIONS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	Filing date if appropriate
	10.	2001/0021872	13 Sep '01	BAILEY et al.			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
							YES	NO
	11.	DE 195 09 464	27 Jun '96	GERMANY			√	
	12.	DE 26 13 575	10 Nov '83	GERMANY			√	
	13.	DE 39 18 736	13 Dec '90	GERMANY			√	

OTHER DOCUMENTS (Including Author, Title, Date Pertinent Pages, Etc.)

	14.	BECK, C.S. et al.; "Operation for Coronary Artery Disease"; November 27, 1954; J.A.M.A.; Vol. 156; No. 13; p. 1226-1233
	15.	BECK, C.S. et al.; "Scientific Basis for the Surgical Treatment of Coronary Artery Disease"; November 26, 1955; J.A.M.A.; Vol. 168; No. 16; p. 1264-1271
	16.	BECK, C.S. et al.; "Some New Concepts of Coronary Heart Disease. Results after Surgical Operation"; December 20, 1958; J.A.M.A.; Vol. 168; No. 16; p. 2110-2117
EXAMINER		DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.		

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PAGE 1 OF 9

INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)	ATTY DOCKET NO. 276/04389	SERIAL NO. 10/523,966
	APPLICANT(S) Shmuel BEN MUVHAR	
	FILING February 07, 2005	GROUP 3738

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLA SS	SUB- CLASS	Filing date if appropriate
	17.	4,776,337	11 Oct '88	PALMAZ			
	18.	4,787,388	29 Nov '88	HOFMANN			
	19.	4,813,934	21 Mar '89	ENGELSON et al.			
	20.	4,893,623	16 Jan '90	ROSENBLUTH			
	21.	4,994,066	19 Feb '91	VOSS			
	22.	5,007,926	16 Apr '91	DERBYSHIRE			
	23.	5,026,377	25 Jun '91	BURTON et al.			
	24.	5,064,435	12 Nov '91	PORTER			
	25.	5,209,727	11 May '93	RADISCH, Jr. et al.			

U.S. PATENT APPLICATION PUBLICATIONS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	Filing date if appropriate

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
							YES	NO
	26.	DE 91 01 344	18 Jul '91	GERMANY			√	
	27.	EP 0 355 341	28 Feb '90	EUROPE				
	28.	EP 0 461 791	18 Dec '91	EUROPE				

OTHER DOCUMENTS (Including Author, Title, Date Pertinent Pages, Etc.)

	29.	BECK, C.S. et al.; "The Coronary Patient Wants Better Treatment"; January 1961; Medical Times; NY; Vol. 89; No. 1; p. 17-26
	30.	BECK, C.S. et al.; "The Surgical Management of Coronary Artery Disease: Background, Rationale, Clinical Experience"; December 1956; American College of Physicians in Annals of Internal Medicine; Vol. 45; No. 6; p. 975-986
	31.	BRAUNWALD, E.; "Heart Disease: A Textbook of Cardiovascular Medicine"; 1997; 5th Edition; W. B. Saunders Company; Chapter 36; p. 1168-1169
EXAMINER		DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.		

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	APPLICANT(S) Shmuel BEN MUVHAR	
	FILING February 07, 2005	GROUP 3738

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLA SS	SUB- CLASS	Filing date if appropriate
	32.	5,211,654	18 May '93	KALTENBACH			
	33.	5,078,736	07 Jan '92	BEHL			
	34.	5,129,902	14 Jul '92	GOBLE et al.			
	35.	5,201,757	13 Apr '93	HEYN et al.			
	36.	5,222,980	29 Jun '93	GEALOW			
	37.	5,246,445	21 Sep '93	YACHIA et al.			
	38.	5,282,823	01 Feb '94	SCHWARTZ et al.			
	39.	5,304,194	19 Apr '94	CHEE et al.			
	40.	5,304,220	19 Apr '94	MAGINOT			
	41.	5,330,482	19 Jul '94	GIBBS et al.			

U.S. PATENT APPLICATION PUBLICATIONS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	Filing date if appropriate

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
							YES	NO
	42.	EP 0 556 850	25 Aug '83	EUROPE				
	43.	EP 0 587 197	16 Mar '94	EUROPE			√	
	44.	EP 0 621 015	26 Oct '94	EUROPE				
	45.	EP 0 696 446	14 Feb '96	EUROPE				

OTHER DOCUMENTS (Including Author, Title, Date Pertinent Pages, Etc.)

	46.	BROFMAN, B.L.; "Long Term Influence of the Beck Operation for Coronary heart disease"; August 1960; American Journal of Cardiology; p. 259-270
	47.	FAXSON, M.D. et al.; "Coronary Sinus Occlusion Pressure and Its Relation to Intracardiac Pressure"; September 01, 1985; The American Journal of Cardiology; Vol. 56; p. 457-460

EXAMINER	DATE CONSIDERED
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)	ATTY DOCKET NO. 276/04389	SERIAL NO. 10/523,966
	APPLICANT(S) Shmuel BEN MUVHAR	
	FILING February 07, 2005	GROUP 3738

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLA SS	SUB- CLASS	Filing date if appropriate
	48.	5,342,348	30 Aug '94	KAPLAN			
	49.	5,354,309	11 Oct '94	SCHNEPP-PESCH et al.			
	50.	5,375,612	27 Dec '94	COTTENCEAU et al.			
	51.	5,382,261	17 Jan '95	PALMAZ			
	52.	5,397,351	14 Mar '95	PAVCNIK et al.			
	53.	5,409,019	25 Apr '95	WILK			
	54.	5,425,765	20 Jun '95	TIEFENBRUN et al.			
	55.	5,449,373	12 Sep '95	PINCHASIK et al.			
	56.	5,464,449	07 Nov '95	RYAN et al.			
	57.	5,476,506	19 Dec '95	LUNN			

U.S. PATENT APPLICATION PUBLICATIONS

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FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
							YES	NO
	58.	EP 0 779 062	18 Jan '01	EUROPE				
	59.	FR 2 743 293	11 Jul '97	FRANCE			√	
	60.	FR 2 688 688	24 Sep '93	FRANCE			√	
	61.	WO 00/32092	08 Jun '00	PCT				
	62.	WO 92/06734	30 Apr '92	PCT				
	63.	WO 93/08767	13 May '93	PCT				

OTHER DOCUMENTS (Including Author, Title, Date Pertinent Pages, Etc.)

	64.	GROSS, L. et al.; "Experimental Attempts to Increase the Blood Supply to the Dog's Heart by Means of Coronary Sinus Occlusion"; January 1937; Journal Exper. Med.; Vol. 65; p. 91-108 and plates 4-5
EXAMINER		DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.		

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	APPLICANT(S) Shmuel BEN MUVHAR	
	FILING February 07, 2005	GROUP 3738

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLA SS	SUB- CLASS	Filing date if appropriate
	65.	5,500,014	19 Mar '96	QUIJANO et al.			
	66.	5,514,176	07 May '96	BOSLEY et al.			
	67.	5,554,152	10 Sep '96	AITA et al.			
	68.	5,554,185	10 Sep '96	BLOCK et al.			
	69.	5,575,818	19 Nov '96	PINCHUK			
	70.	5,609,627	11 Mar '97	GOICOECHEA et al.			
	71.	5,618,301	08 Apr '97	HAUENSTEIN et al.			
	72.	5,620,439	15 Apr '97	ABELA et al.			
	73.	5,622,713	02 Sep '97	ANDERSEN et al.			
	74.	5,645,551	08 Jul '97	GREEN et al.			
	75.	5,653,744	05 Aug '97	KHOURI			

U.S. PATENT APPLICATION PUBLICATIONS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	Filing date if appropriate

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
							YES	NO
	76.	WO 93/22986	25 Nov '93	PCT				
	77.	WO 94/24961	10 Nov '94	PCT				
	78.	WO 95/08965	06 Apr '95	PCT				
	79.	WO 95/21592	17 Aug '95	PCT				

OTHER DOCUMENTS (Including Author, Title, Date Pertinent Pages, Etc.)

	80.	ROBERTSON, H.F.; "The Reestablishment of Cardiac Circulation During Progressive Coronary Occlusion"; 1935; The American Heart Journal; Vol. 10; p. 533-541
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U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLA SS	SUB- CLASS	Filing date if appropriate
	81.	5,655,548	12 Aug '97	NELSON et al.			
	82.	5,662,713	02 Sep '97	ANDERSEN et al.			
	83.	5,683,411	04 Nov '97	KAVTELADZE et al.			
	84.	5,695,504	09 Dec '97	GIFFORD, III et al.			
	85.	5,709,335	20 Jan '98	HECK			
	86.	5,713,908	03 Feb '98	JAMEEL et al.			
	87.	5,716,393	10 Feb '98	LINDENBERG et al.			
	88.	5,732,872	31 Mar '98	BOLDUC et al.			
	89.	5,741,333	21 Apr '98	FRID			
	90.	5,755,769	26 May '98	RICHARD et al.			

U.S. PATENT APPLICATION PUBLICATIONS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	Filing date if appropriate

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
							YES	NO
	91.	WO 95/26695	12 Oct '95	PCT				
	92.	WO 95/31155	23 Nov '95	PCT				
	93.	WO 98/46115	22 Oct '98	PCT				
	94.	WO 99/34731	15 Jul '99	PCT				
	95.	WO 99/65418	23 Dec '99	PCT				

OTHER DOCUMENTS (Including Author, Title, Date Pertinent Pages, Etc.)

	96.	SANDLER, G et al.; "The Beck Operation in the Treatment of Angina Pectoris"; 1967; Thorax; Vol. 32; No. 34	
EXAMINER		DATE CONSIDERED	
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.			

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	APPLICANT(S) Shmuel BEN MUVHAR	
	FILING February 07, 2005	GROUP 3738

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	Filing date if appropriate
	97.	5,755,779	26 May '98	HORIGUCHI			
	98.	5,772,668	30 Jun '98	SUMMERS et al.			
	99.	5,776,164	16 Jun '98	MUELLER et al.			
	100.	5,782,844	21 Jul '98	YOON et al.			
	101.	5,782,905	21 Jul '98	RICHTER			
	102.	5,797,930	25 Aug '98	OVIL			
	103.	5,810,850	22 Sep '98	HATHAWAY et al.			
	104.	5,840,081	24 Nov '98	ANDERSEN et al.			
	105.	5,843,117	01 Dec '98	ALT et al.			
	106.	5,873,906	23 Feb '99	LAU et al.			
	107.	5,876,418	02 Mar '99	KarlheinzHhauenstein et al.			
	108.	5,876,445	02 Mar '99	ANDERSEN et al.			

U.S. PATENT APPLICATION PUBLICATIONS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	Filing date if appropriate

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
							YES	NO

OTHER DOCUMENTS (Including Author, Title, Date Pertinent Pages, Etc.)

	109.	WISING, P.J.; "The Beck-I Operation for Angina Pectoris"; 2963; Acta Medica Scandinavica; Vol. 174; Fasc. 1; p. 93-97
	110.	ZALEWSKI, A. et al.; "Myocardial Protection Via Coronary Sinus Interventions: Superior Effects of Arterialization Compared with Intermittent Occlusion"; June 1985; Laboratory Investigation - Myocardial Ischemia; Vol. 71; No. 6; p. 1215-1222
EXAMINER		DATE CONSIDERED
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	APPLICANT(S) Shmuel BEN MUVHAR	
	FILING February 07, 2005	GROUP 3738

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLA SS	SUB- CLASS	Filing date if appropriate
	111.	5,897,588	27 Apr '99	HULL et al.			
	112.	5,925,063	20 Jul '99	KHOSRAVI			
	113.	6,015,432	18 Jan '00	RAKOS et al.			
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FOREIGN PATENT DOCUMENTS

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	127.	6,579,306	17 Jun '03	VOELKER et al.			
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